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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,245	02/05/2001	Milivoje Aleksic	ATI010021	2351
34456	7590	10/06/2004	EXAMINER	
TOLER & LARSON & ABEL L.L.P. 5000 PLAZA ON THE LAKE STE 265 AUSTIN, TX 78746			FIELDS, COURTNEY D	
			ART UNIT	PAPER NUMBER
			2137	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/777,245

Applicant(s)

ALEKSIC ET AL.

Examiner

Courtney D. Fields

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-28 are pending.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1 states "assigning a third key register for decrypting data from the first application, based upon a request for re-authentication". This limitation is not shown within the specification. According to the specification, page 8, lines 5-10, means for re-authentication is defined as a request to re-initialize communications based upon an error during transmission within the first key register, therefore a second key register is assigned in response to a request for re-authentication.

Claim Objections

3. Claims 19-22 are objected to because of the following informalities: Each of the claims further limits a method claim however claim 18 is a system claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kori et al. (U.S. Patent No. 6, 480, 607). Referring to rejection of claim 1, Kori et al. discloses a method comprising the steps of: receiving an encrypted data from a first plurality of applications including a first encrypted data from a first application assigned to a first key register and a second encrypted data from a second application assigned to a second key register, assigning a third key register for decrypting data from the first application, based upon a request for re-authentication, receiving a third encrypted data from the first application assigned to a third key register, and providing the first encrypted data to a first decryption source after the step of receiving the third encrypted data in Column 9, lines 24-56, Column 12, lines 27-31.

As per claim 2, Kori et al. discloses the claimed limitation wherein providing the third encrypted data to the first decryption source, and providing the second encrypted data to the second decryption source in Column 12, lines 36-43.

As per claim 3, Kori et al. discloses the claimed limitation wherein the decryption source decrypts the first encrypted data using a first encryption key stored in the first key register in Column 11, lines 10-14.

As per claim 4, Kori et al. discloses the claimed limitation wherein the request for re-authentication is a notification sent by the first application to a driver in Column 2, lines 54-67, Column 3, lines 1-4.

As per claim 5, Kori et al. discloses the claimed limitation wherein the step of assigning the third key register includes locating an unused key register in Column 12, lines 58-65.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kori et al. in view of Ciacelli et al. (U.S. Patent No. 6,236,727). As per claims 6, 18, and 23 Kori et al. discloses a system for receiving encrypted data from an application, assigning a key register and providing decrypted data using a decryption key in Column 9, lines 24-56, Column 12, lines 27-31. However, Kori et al. does not explicitly disclose the use of a memory for assisting the processor and performing the encryption/decryption processes. As per claims 6, 18, and 23, Ciacelli et al. discloses a

method, system, and computer medium providing multiple channels of secure multimedia data using a data processor, a memory, and a hardware device for performing encryption/decryption processes on multimedia applications in Column 1, lines 48-64, Column 3, lines 44-67, Column 4, lines 1-42, Column 5, lines 65-67, Column 6, lines 1-53.

Therefore it would have been known obvious to a person having ordinary skill in the art at the time the invention was made to modify Kori et al's system by combining Ciacelli's system for protecting copyright data in order to prevent theft of clear data decrypted within the system. (See Ciacelli, Column 2, lines 1-25)

As per claim 7, (Kori et al. as modified) discloses the claimed limitation wherein the first and second applications are the same application in (See Ciacelli, Column 5, lines 65-67, Column 6, lines 11, 54-67, Column 1-2)

As per claim 8, (Kori et al. as modified) discloses the claimed limitation wherein the first and second applications are capable of providing a notification to the driver (See Ciacelli, Column 4, lines 32-52)

As per claim 9, (Kori et al. as modified) discloses the claimed limitation wherein the notification includes the first and second authentication request (See Ciacelli Column 10, lines 51-67, Column 11, lines 1-9)

As per claim 10, (Kori et al. as modified) discloses the claimed limitation wherein the notification includes a request for re-authentication in Column 9, lines 66-67, Column 10, lines 1-17.

As per claim 11, (Kori et al. as modified) discloses the claimed limitation wherein the first and second multimedia applications relate to video applications in Column 9, lines 29-49, Column 11, lines 10-12.

As per claim 12, (Kori et al. as modified) discloses the claimed limitation wherein the step of assigning the third key register includes locating an unused key register in Column 12, lines 58-65.

As per claim 13, (Kori et al. as modified) discloses the claimed limitation wherein the first and second key registers are stored in a driver in Column 9, lines 29-55.

As per claim 14, (Kori et al. as modified) discloses the claimed limitation wherein the first and second key registers are stored in hardware in Column 9, lines 29-55.

As per claim 15 and 28, (Kori et al. as modified) discloses the claimed limitation wherein providing a binary file to developers of the first and second multimedia applications for inclusion in the first and second multimedia application (See Ciacelli, Column 6, lines 61-67, Column 7, lines 1-16)

As per claims 16, 20, and 26, (Kori et al. as modified) discloses the claimed limitation wherein the binary code is for decoding commands generated in the first and second multimedia applications to hardware commands (See Ciacelli, Column 7, lines 17-44)

As per claims 17, 19, and 25, (Kori et al. as modified) discloses the claimed limitation wherein the binary file includes a set of encryption keys for encrypting data generated in the first and second applications in (See Ciacelli, Column 7, lines 17-52)

As per claims 21, 22, and 27, (Kori et al. as modified) discloses the claimed limitation wherein the driver and the hardware is capable of decrypting the first encrypted data

Art Unit: 2137

based on the first encrypted key, decrypting the second encrypted data based on the second encryption key, encrypting the first and second encrypted data using a hardware key to generate a third encrypted data, and providing the third encrypted data to the hardware device in Column 11, lines 11-38, Column 12, lines 36-43.

As per claim 24, (Kori et al. as modified) discloses the claimed limitation wherein the plurality of programs further include a plurality of multimedia applications including a first multimedia application and a second multimedia application, wherein the second multimedia application is different from the first multimedia application in Column 11, lines 33-38, Column 13, lines 62-67, Column 14, lines 1-24.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Wed. 6:00 - 6:00 pm; Thur. 6:00 - 10 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

COA

cdf

September 30, 2004

Matthew Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137